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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,770	03/31/1999	ROMY A. ACHITUV	IR-013	1443

21912 7590 09/27/2002

RITTER VAN PELT & YI, L.L.P.  
4906 EL CAMINO REAL  
SUITE 205  
LOS ALTOS, CA 94022

EXAMINER

BUGG, GEORGE A

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/283,770

Applicant(s)

ACHITUV ET AL.

Examiner

George A Bugg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

With regard to applicant's arguments concerning an active image, on the contrary, it is the position of the examiner that the functions of Figure 8, do in fact show an active image. As shown by US Patent No 5,963,664 to Kumar et al., an existing 3D mosaic is corrected with motion information (Column 11, Lines 33-54), and is used to create and display a new image, which includes the data associated with motion. Therefore, this image is interpreted as an active image, rather than a static image, as believed by the applicant, because a static image is an image without change, or no motion.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 5,963,664 to Kumar et al.

As for Claims 1, 13, 18, and 23-25, Kumar discloses (Fig. 2) a set of temporally sequential frames of visual data, each frame representing an image, defining a region, within a panoramic region. Further disclosed (Fig. 2) is the positioning of one or more images, with relationship to the spatial orientation of the panoramic region, while an

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active image is being displayed. In addition, (Fig. 1, Element 106) shows an output device, which could be any type of video display.

Kumar (Fig. 1) also shows the use of multiple cameras, which would provide at least two non-coincidental images, as well as a plurality of sets of temporally sequential frames, as further disclosed in Claim 13. Also disclosed in Claim 13 is the identification of a branch point, for the purpose of updating an image. Kumar discloses (Col. 17, Lines 13-33) a scene change detection scheme.

As for claim 25, note the scene change is detected between temporally sequential images, and the new set of frames is the updated set of frames (Col. 7).

Further disclosed in Claim 24, is a readable storage medium, on which is stored one or more computer programs, for producing a visual display, of a panoramic region. Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system.

As for the additional limitations of claims 1, 23, and 24, see Figures 8 and 11. The image with motion of Figure 8, and an active image are one in the same. The motion for successive frames of the image is determined by differencing the overlapping data from frame to frame. Referring to Figure 11, as an object moves through the scene from right to left, it will be displayed at each location. Previously displayed images of the moving object will no longer be active images because they will no longer have motion associated with them, and will therefore be replaced by static context images, of the background scene.

Claim 2 discloses one or more context images, being automatically displayed, in a predetermined manner. Kumar teaches (Fig. 7), (Col. 11, Lines 1-3) a hierarchical technique to register images.

Claims 3-4, disclose an order, in which context images are to be displayed. Since the frames representing an image are processed sequentially, and a hierarchy for how those images are displayed, already exists, it is logical to assume that the context images would be displayed, as disclosed in Claims 3-4.

As for Claims 15 and 20, Kumar discloses (Col. 5, Lines 7-9) a single camera providing temporally sequential frames of visual data, while the camera pans across the scene, or "rotates at a fixed location".

As for Claim 16, Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system.

In reference to Claims 5-12, Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system. The use of computer software, and a memory, implies that past and present images can be designated, by user instruction, to perform all functions disclosed in Claims 5-12.

Although Claims 21-22 do not disclose user interaction, or image designation, by a user, they do refer to displaying context images, in a specific manner. It is therefore implied, that these displays could not take place, without instruction, and are rejected, for the same reasons as Claims 5-12.

Regarding Claims 14 and 19, Kumar teaches (Fig. 2, Element 204) that each overlapping section, of an image, is updated by the new image.

The fact that images can be displayed, while being produced, suggests that an active image is produced in real time.

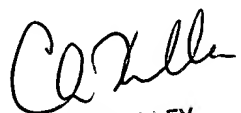
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George A Bugg whose telephone number is (703) 305-2329. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S Kelley, can be reached on (703) 304-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

George A Bugg  
Examiner  
Art Unit 2613

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
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GAB

September 24, 2002